IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8561 of 2004

with

SPECIAL CIVIL APPLICATION No 10625 of 2004

to

SPECIAL CIVIL APPLICATION No 10673 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAVAL DASHRATBHAI MAHIPATRAM

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 8561 of 2004
   MR NK MAJMUDAR for Petitioner No. 1-49
   MR A D OZA, GOVERNMENT PLEADER with MS NANDINI JOSHI
   AGP for Respondent No. 1-2
   MR HS MUNSHAW for Respondent No. 3
2. Special Civil Application No. 10625 of 2004 to 10673 of 2004
   MR NK MAJMUDAR for Petitioner No. 1
   MR A D OZA, GOVERNMENT PLEADER with MS NANDINI JOSHI
   AGP for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 30/09/2004

COMMON ORAL JUDGEMENT

1. Heard Mr.N K Majmudar learned advocate for the petitioners, Mr.A D Oza learned G.P. with Ms.Nandini Joshi learned AGP for respondents no.1 & 2 and Mr.H S Munshaw learned advocate for respondent no.3.

2. In view of the averments made in the petition and having heard the learned counsel for the parties, I am of the opinion that the case of the petitioners deserves consideration.

3. In above view of the matter, the petitioners are directed to make an application along with all the necessary documents, before the Deputy District Development Officer, Patan, within a period of ten days from today. On receipt of such application from the petitioners, respondent no.3 i.e. the Deputy District Development Officer, will decide the claims of the petitioners, after giving them an opportunity of being heard. The said application of the petitioners to be decided within a period of two months from the date of receipt of the said application from the petitioners.

4. As stated by the petitioners, the amount was already allotted to them, but due to some reasons, they were not granted the same. The Deputy District Development Officer will also examine the facts afresh, without being influenced by the earlier decision of the Authority.

5. With the above directions, these petitions stand disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.

(K. S. Jhaveri, J.)

pravin/